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97TH CONGRESS } HOUSE OF REPRESENTATIVES { REPORT
2d Session } No. 97-713

COMPLETED

AUTHORIZING THE SECRETARY OF THE INTERIOR TO PARTICIPATE WITH THE STATE OF NEBRASKA IN STUDIES OF PLATTE RIVER WATER RESOURCE USE AND DEVELOPMENT, AND FOR OTHER PURPOSES

AUGUST 10, 1982.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

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Mr. UDALL, from the Committee on Interior and Insular Affairs, submitted the following

REPORT

together with

SUPPLEMENTAL VIEWS

[To accompany H.R. 6188]

[Including the cost estimate of the Congressional Budget Office]

The Committee on Interior and Insular Affairs, to whom was referred the bill (H.R. 6188) to authorize the Secretary of the Interior to participate with the State of Nebraska in studies of Platte River water resource use and development, and for other purposes, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

The amendment is as follows:

Page 1, line 3, strike all after the enacting clause and insert the following in lieu thereof:

That the Secretary of the Interior is hereby authorized to engage in a special study to assist the State of Nebraska in establishing water resource conversation *and* development priorities, consistent with constitutional and statutory provisions of the State of Nebraska, in the Platte River Basin from the western border of the State of Nebraska to the confluence of the Platte and Missouri Rivers.

The purposes of the study shall be to—

(a) determine the availability of water resources within the basin;

(b) identify, define, and quantify the existing and foreseeable intrabasin and interbasin demands on such resources within the State of Nebraska (including irrigation, ground water stabilization and recharge, enhancement of water quality, small community and rural domestic water supplies, management of fish and wildlife habitat, public outdoor recreation, preservation of scenic qualities, flood control, hydroelectric power development, municipal and industrial water supplies, and such other demands as the study may identify);

(c) identify, evaluate, and estimate costs for alternative methods of meeting the identified water demands, including but not limited to withdrawals from the Platte River, groundwater pumping, water conservation, and improved water management; and

(d) resolve the identified conflicts by making specific recommendations on the full and best utilization of the available water supply, including a priority ranking for implementing recommended water conservation and development projects.

SEC. 2. The special study authorized by section 1 of this Act shall be a Federal-State study conducted jointly by the Bureau of Reclamation and the Nebraska Natural Resources Commission. The broadly constituted study body responsible for making the recommendations required by section 1 shall consist of such citizens, representatives of agricultural, environmental and development groups, State and local officials, and Federal agency representatives as the Governor of Nebraska and the Secretray shall jointly determine. Federal agencies invited to participate shall include, but not be limited to, the U.S. Geological Survey, the U.S. Fish and Wildlife Service, and the Environmental Protection Agency. The special study authorized by section 1 of this Act shall be completed within thirty months after funds are first appropriated under this Act.

SEC. 3. (a) There is hereby authorized to be appropriated the sum of $350,000 to carry out section 1 of this Act. One-half of this sum shall be made available as a grant to the Nebraska Natural Resources Commission and shall be matched equally by direct contribution or inkind services by the State of Nebraska, its political subdivisions, or other non-Federal entities.

(b) The sums expended or services provided by the State of Nebraska, its political subdivisions, or other non-Federal entities after March 9, 1982, for the purposes of this Act shall be considered in the determination of the matching non-Federal share.

PURPOSE

The purpose of H.R. 6188 is to authorize the Secretary of the Interior to participate with the State of Nebraska in studies of Platte River water resource use and development.

BACKGROUND AND NEED

Over the past few years, it has become increasingly apparent that there is not enough water in the Platte River to satisfy all of the demands that have been placed on that resource. Current uses of the water resources within the Platte River Basin include irrigation, groundwater stabilization and recharge, enhancement of water quality, small community and rural domestic water supplies, management of fish and wildlife habitat, outdoor recreation, hydroelectric development and municipal and industrial water supplies. A 1980 ruling of the Nebraska Supreme Court will allow transbasin divisions of the State's surface water and will further increase the demands for Platte River water.

In order to resolve conflicts among the competing interests for Platte River water, the Nebraska Natural Resources Commission recently developed a "conflict resolution process". This technique brings together the competing interests and provides decisionmakers with a more rational, documented basis for their actions.

In order to be successful, the conflict resolution process must be based upon the best information available regarding the amount of water in the Platte River, and the nature and extent of the competing demands for that resource. The Nebraska Natural Resources Commission believes the Bureau of Reclamation, with its vast technical background in water resources, would greatly enhance the quality of the study.

EXPLANATION

H.R. 6188, introduced by Mr. Bereuter for himself, Mr. Daub and Mr. Clausen, would authorize the Secretary of the Interior to engage in a special study to assist the State of Nebraska in establishing water resource conservation and development priorities in the Platte River Basin. The study would be conducted jointly by the Bureau of Reclamation, with the participation of the U.S. Fish and Wildlife Service, Environmental Protection Agency and other Federal agencies, and the Nebraska Natural Resources Commission.

The bill authorizes the appropriation of $350,000 for the study, $175,000 of which would be transferred by grant to the Nebraska Natural Resources Commission to be matched by funds or inkind contributions from the State and other non-Federal entities, and mandates that the study be completed within thirty months after he funds are appropriated. Acceptance of these funds by the State of Nebraska implies that it not only will engage in a process for establishing resource conservation and development priorities for the Platte River basin, but, as required by Section 2(d) of the bill, that it will develop specific program, project and practice recommendations on the full and best utilization of the available water supply as a part of the funded study, including a priority ranking for implementing recommended water conservation and development projects.

SECTION-BY-SECTION ANALYSIS

Section 1 outlines the purposes of the study.

Section 2 designates several Federal agencies to participate in the study and establishes a deadline for completion of the study.

Section 3 authorizes funds to be appropriated, establishes a grant for the Nebraska Natural Resources Commission, and requires non-Federal cost sharing.

COMMITTEE ACTION

The Subcommittee on Water and Power Resources received testimony on H.R. 6188 on June 8, 1982. The Full Committee on Interior and Insular Affairs considered the bill on July 28, 1982, and, by voice vote, ordered the bill reported favorably to the House with an amendment in the nature of a substitute. The amendment emphasizes water conservation and preservation of scenic qualities; designates the U.S. Geological Survey, the U.S. Fish and Wildlife Service and the Environmental Protection Agency as Federal agencies invited to participate in making recommendations regarding the Platte River; and provides that $175,000 of the $350,000 authorized shall be available as a grant to the Nebraska Natural Resources Commission. The $175,000 grant will be attached by funds and inkind contributions by the State and other non-Federal sources.

DEPARTMENTAL VIEWS

On June 8, 1982, the Commissioner of the Bureau of Reclamation testified before the Subcommittee on Water and Power Resources that the Department of the Interior supports the enactment of the bill. The Commissioner was particularly supportive of the matching funds provision in Section 3 of the bill.

OVERSITE STATEMENT

As with all aspects of the programs administered by the Bureau of Reclamation, the Committee will maintain oversight jurisdiction over the study authorized in this measure. No oversight recommendation has been received by the Committee pursuant to Rule XI.

COST AND INFLATIONARY IMPACT

Based on information supplied to the Committee it is estimated that the cost attributable to this measure will be $350,000. Accordingly, the bill authorizes $350,000 to be appropriated for the purpose of the study. Due to the small amount of funds involved, the Committee believes that enactment of this legislation should not result in any adverse inflationary impact on the national economy. The analysis of the Congressional Budget Office follows:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, D.C., August 4, 1982.

Hon. MORRIS K. UDALL,
Chairman, Committee on Interior and Insular Affairs, U.S. House of Representative, Washington, D.C.

DEAR MR. CHAIRMAN: Pursuant to Section 403 of the Congressional Budget Office has reviewed H.R. 6188, a bill to authorize the Secretary of the Interior to participate with the State of Nebraska in studies of Platte River water resource use and development, and for other purposes, as ordered reported by the House Committee on Interior and Insular Affairs, July 27, 1982.

The bill authorizes the Secretary of the Interior to engage in a special study to assist the State of Nebraska in establishing water resource conservation and development priorities. Other federal agencies are to be invited to participate in the study, including the U.S. Geological Survey, the U.S. Fish and Wildlife Service, and the Environmental Protection Agency. The bill authorizes appropriations of $350,000, one-half of which is to be made available as a grant to the Nebraska Natural Resources Commission. Assuming appropriation of authorized amount for fiscal year 1983, estimated outlays of the federal government would be $225,000 in fiscal year 1983, $90,000 in fiscal year 1984 and $35,000 in fiscal year 1985. The costs of this bill fall within budget function 300.

Should the Committee so desire, we would be pleased to provide further details on this estimate.

Sincerely,

RAYMOND C. SCHEPPACH
(For Alice M. Rivlin, Director).

SUPPLEMENTAL VIEWS

As a Member of the Committee on Interior and Insular Affairs and as the Ranking Minority Member of its Subcommittee on Water and Power Resources, I have been, over the years, directly involved with and interested in issues of water resource management and development. I have agreed to co-sponsor H.R. 6188 with its principal sponsor and my subcommittee colleague, Mr. Bereuter of Nebraska, because I feel that the bill encompasses an enlightened approach to water resource planning which has tremendous potential as a positive precedent for other states and regions of the country to follow.

H.R. 6188 would have various federal agencies, led by the Bureau of Reclamation, assist the State of Nebraska in conducting a conflict resolution study for the entire Platte River Basin from the western border of Nebraska to the confluence of the Platte and Missouri Rivers. This study would serve to identify the competing interests in and demands on Platte River water, and the alternative methods of meeting such demands. It would serve to resolve any conflicts between competing uses and to recommend a priority ranking for developing projects. The study body making such recommendations would be a broadly constituted group to assure a variety of interests are represented and to assure a great deal of local input. This bill would require the Bureau to assist those living in the Platte River Basin to set their own water resource development priorities. Therefore, the study results should represent as close to a consensus as may be possible given the diversity of interests.

I have long favored taking an integrated, coordinated approach to water resource management and development and, generally, much prefer that approach over a piecemeal, project-by-project one. I urge my colleagues to support this bill.

DON H. CLAUSEN.